

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 16, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-13894 - APPLICANT/OWNER: CORY, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend DENIAL.

## **\*\* STAFF REPORT \*\***

### **APPLICATION REQUEST**

Request to amend a portion of the Southeast Sector Plan from L (Low Density Residential) to M (Medium Density Residential) on 2.5 acres at the southwest corner of Upland Boulevard and Corey Place.

### **EXECUTIVE SUMMARY**

This application seeks to change the General Plan land use designation of the subject property located at the southwest corner of Upland Boulevard and Corey Place from L (Low Density Residential) to M (Medium Density Residential).

### **BACKGROUND DATA:**

- |          |  |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Medium Low/Low Residential land uses with a maximum density of 6 dwelling units per acre for the Low category and 12 dwelling units per acre for the Medium Low category. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan.   |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.                      |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.   |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.   |
| 07/13/06 | The Planning Commission recommended denial of companion items ZON-13989, VAR-14441 and SDR-13901 concurrently with this application.   |
| 07/13/06 | The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #35/alj).  |

## **DETAILS OF APPLICATION REQUEST**

Site Area: 2.5 Gross Acres

### **EXISTING LAND USE**

Subject Property Vacant  
North Church  
South Retail Buildings  
East Single Family Dwellings  
West Multi-family Dwellings

### **PLANNED LAND USE**

Subject Property L (Low Density Residential)  
North L (Low Density Residential)  
South SC (Service Commercial)  
East L (Low Density Residential)  
West M (Medium Density Residential)

### **EXISTING ZONING**

Subject Property R-1 (Single Family Residential)  
North R-1 (Single Family Residential)  
South C-1 (Limited Commercial)  
East R-1 (Single Family Residential)  
West R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

The subject site is not associated with any Special Plan Area and is not located within the Rural Preservation Overlay District.

<b><i>EXISTING GENERAL PLAN DESIGNATION</i></b>	<b><i>PERMITTED DENSITY</i></b>	<b><i>PROPOSED GENERAL PLAN DESIGNATION</i></b>	<b><i>PERMITTED DENSITY</i></b>
L	5.49 du/ac 13.7 max. units for site	M	25.49 du/ac 63 max. units for site

The request will increase the residential density permitted on the subject site from 5.49 units per acre to 25.49 units per acre.

## **DEFINITIONS**

***L (Low Density Residential)*** (3.6 to 5.49 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

***M (Medium Residential)***(12.5 to 25.49 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

***SC (Service Commercial)*** The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

## **INTERAGENCY ISSUES**

No interagency issues exist.

## **ANALYSIS**

The neighborhood surrounding the subject site is single-family residential in character. A multi-family development with a M (Medium Density Residential) land use designation exists immediately to the west of the subject site, however it is developed at a density that is less intense than what the land use category allows and is designed to mitigate the impact to the neighborhood. Vehicular traffic from the multi-family development is directed to Charleston Boulevard and Jones Boulevard away from existing residences. The proposal would allow a higher density development to encroach into an established single family neighborhood.

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”: The proposed density is substantially higher than the existing density of the surrounding area.

In regard to “2”: The proposed amendment would allow zoning districts that are incompatible with the existing zoning in the area. The R-PD23 zoning district requested through the related Rezoning application is denser than the existing R-1 and R-PD15 zoning districts that surround the site.

In regard to “3”: The subject site is located in an area of the city where all utilities and services are currently in place and available to this site. The site is serviced by the Downtown Area Command of the Las Vegas Metropolitan Police Department at 621 N. 9<sup>th</sup> street. Fire Station #6, which is less than a mile away at 190 Upland Boulevard, is the closest city facility to the site. Gary Dexter Park, at 800 Upland Boulevard, is the closest city park to the site.

In regard to “4”: There are no other adopted plans or policies that apply to this application.

### **GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING**

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 15, 2006 a neighborhood meeting sponsored by the applicant was held. Twelve persons attended had the following comments:

- Project site is too small for 56 units
- Traffic using Cory Place
- General Plan should remain L (Low Density Residential)
- Not enough open space
- Not enough parking for site

- Site should be developed as single family homes
- Site should be for sale and not rent

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 11

**NOTICES MAILED** 204 by Planning Department

**APPROVALS** 0

**PROTESTS** 224